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May 3, 2023

Via ECF

The Honorable Arlene R. Lindsay
United States Magistrate Judge for the
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: *Zaldivar v. Levent Company, Ltd., et al.,*
Docket No.: 22-cv-00065(GRB)(ARL)

Dear Judge Lindsay:

We represent Defendants Levent Company, Ltd. d/b/a Shish Kebab Grill and Muslum Levent (“Defendants”) in the above-referenced matter. We write in response to Plaintiff’s counsel’s letter filed on April 27, 2023, ECF No. 12, to provide the Court with further information. As Plaintiff correctly notes therein, on January 24, 2023, the undersigned filed the parties’ joint status report requesting that the Court refer the parties to the EDNY mediation program, advising of their selection of mediator, Patrick McKenna, Esq., and requesting sixty days from the date of such referral to complete mediation, ECF No. 11, which the Court granted the following day. *See* Electronic Order dated January 25, 2023. Thereafter, the parties attempted to confirm a mediation date.

Unfortunately, Defendants were unable to confirm any such date because of the tragic earthquake in Turkey in early-February 2023, where Defendant Levent has family. As a result, Defendants have sporadically been in contact with their counsel. Our last contact with Defendants was in early-March 2023 and, since then, Defendants have ceased communication with their counsel. Accordingly, should Defendants continue to fail to cooperate, Defendants’ counsel intends to file a motion seeking leave to withdraw as Defendants’ attorneys of record pursuant to Local Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York on or before May 12, 2023.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

FRANKLIN, GRINGER & COHEN, P.C.

A handwritten signature in blue ink, appearing to read "Danielle Mietus", is written over a horizontal line.

Danielle E. Mietus, Esq.

C: All Counsel of Record (*via* ECF)